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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/556,963	04/21/2000	Bradley S. Tagg	13116(END999-099)	6297

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EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Applicati n N .

09/556,963

Applicant(s)

TAGG, BRADLEY S.

Examin r

Jungwon Chang

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-- Th MAILING DATE of this communicati n appears on the cover sh et with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Pri rity under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-44 are presented for examination.
2. The text of those sections of Title 35, U. S. Code not included in this office action can be found in a prior office action.
3. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abu-Hakima (US 6,499,021 B1) in view of Mehr et al. (US 6,438,547 B1), hereinafter Mehr.
4. As to claims 1, 15 and 31, Abu-Hakima discloses the invention substantially as claimed, including a method for navigating between two or more programs (col. 2, lines 4-9 and 35-39), each program capable of being instantiated to form a program instance (col. 3, lines 37-43), said method comprising the steps of:
  - (a) embedding and enabling engine in an origin program and instantiating the origin program (10-70, fig. 1; col. 3, lines 46-54);
  - (b) invoking the enabling engine for the origin program instance which is responsive to the origin program instance for enabling navigation (col. 4, lines 14-26);
  - (c) interrogating a rule-base and retrieving one or more conditions associated with the origin program instance (col. 7, lines 25-58; col. 8, lines 36-58);
  - (d) utilizing said one or more conditions to query and evaluate data managed

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by the origin program instance (col. 8, line 57 – col. 9, line 17; col. 9, line 66 – col. 10, line 12); and

(e) utilizing results of said evaluation (col. 9, lines 10-17; col. 10, lines 37-40).

5. Abu-Hakima does not specifically disclose displaying one or more navigation paths to a user via a graphical display. However, Mehr discloses displaying one or more navigation paths to a user via a graphical display (col. 9, lines 26-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Abu-Hakima and Mehr because Mehr's displaying the navigation paths to the user would enhance the performance by allowing the user to execute the desired program by simply selecting the navigation path.

6. As to claims 3, 17 and 33, Abu-Hakima discloses said rule-base includes one or more actions associated with said origin program instance, said method further comprising the step of: instantiating a target program, which is a function of the user selection of the navigation path and navigating to the target program instance by utilizing at least one of said one or more actions (col. 9, lines 42-65).

7. As to claims 4, 18 and 34, Abu-Hakima further discloses storing and retaining a navigation path associated with the origin program instance (col. 9, lines 10-15).

8. As to claims 5, 8, 19, 22, 35 and 38, Abu-Hakima does not specifically use a

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word "web browser". However, Abu-Hakima discloses a client is connected to network and Internet Service Provider (fig. 5). It would have been obvious to one of ordinary skill in the art that web browser resides in client's computer is a software which allows a user to communicate with a server through network that is well known in the art.

Abu-Hakima does not specifically disclose enabling the user to navigate backwards from the target program instance to the origin program instance. It would have been obvious to one of ordinary skill in the art that web browser includes a toolbar that has toolbar functions, such as back and forward that enable the user to backtrack to previous program that is well known in the art.

9. As to claims 6, 20 and 36, Abu-Hakima discloses utilizing state data managed by the origin program instance and role of said user for evaluating one or more navigation paths available to the user.

10. As to claims 7, 21 and 37, Abu-Hakima discloses performing remaining actions from said one or more actions not utilized for executing functionality supported by the target program instance.

11. As to claims 9, 10, 23, 24, 39 and 40, Abu-Hakima discloses rule-base resides on a network or locally on the user's system (col. 7, lines 25-58; col. 8, lines 36-58).

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12. As to claims 2, 16 and 32, they are rejected for the same reasons set forth in claims 1, 15 and 31 above.

13. As to claims 11-13, 25-27 and 41-43, they are rejected for the same reasons set forth in claims 5, 8, 19, 22, 35 and 38 above.

14. As to claims 14, 28 and 44, Abu-Hakima further discloses functionality supported by the target program is displaying a particular web page (col. 10, lines 6-10; col. 11, lines 10-14).

15. As to claims 29 and 30, Abu-Hakima further discloses program is an application program (col. 3, lines 37-43).

16. Applicant's arguments filed on 1/9/2004 have been fully considered but they are not persuasive.

17. In the remarks, applicants argued in substance that

(1) Abu-Hakima's navigation through the knowledge base does not teach or suggest the claimed navigation between programs.

(2) Abu-Hakima does not teach or suggest instantiation of a program to form a program instance.

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(3) Abu-Hakima's agent is not shown nor described as being embedded into any program.

18. Examiner respectfully traverses applicants' remark.

As to point (1), by definition, the term "knowledge base" is program, which provides to make your documents easy to find and retrieve. Therefore, Abu-Hakima is relevant prior art.

As to point (2), Abu-Hakima discloses instantiation of a program to form a program instance (i.e., program object; col. 5, lines 17-28 and 35-56).

As to point (3), in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., claims 1, 15 and 31 are not directed to embedding "enabling engine" into program) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

Jungwon Chang  
March 19, 2004



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100